

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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M&T Bank



Order Filed on September 12,
2016 by Clerk, U.S. Bankruptcy
Court - District of New Jersey

In Re:

Derrick J. Pierre,

Debtor.

Case No.: 12-13470-SLM

Adv. No.:

Hearing Date: 7/08/2015 @ 11:00 a.m.

Judge: Stacey L. Meisel

ORDER RESOLVING MOTION FOR RELIEF FROM STAY

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: September 12, 2016

A handwritten signature in cursive script, reading "Stacey L. Meisel", is written over a horizontal line.
Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Debtor: Derrick J. Pierre

Case No: 12-13470-SLM

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, M&T Bank, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 31-33 Abbottsford Avenue, Newark, NJ 07102, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Bruce Levitt, Esq., attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of August 25, 2016, Debtors are in arrears outside of the Chapter 13 Plan to Secured Creditor for escrow advances totaling \$22,090.91, broken down as follows:

Taxes

04/15/2013	\$1,493.85
08/02/2013	\$1,910.97
10/11/2013	\$1,831.21
04/11/2014	\$1,682.47
07/24/2014	\$1,845.42
01/20/2015	\$1,856.81
01/27/2015	\$1,766.80
04/24/2015	\$1,766.79
07/23/2015	\$2,003.81
08/05/2016	\$2,055.09
Total taxes =	\$ 18,213.22

Insurance

3-18-13	\$ 2,655.69
3-13-14	\$ 2,041.00
Total Insurance =	\$ 4,696.69

It is further **ORDERED, ADJUDGED and DECREED** that the Debtor shall make an immediate payment of \$10,000.00 directly to Secured Creditor, indicating that the check is to be used to reimburse taxes paid, sent to M&T Bank, Attn: Payment Processing, 1 Fountain Plaza, 7th Floor, Buffalo, NY 14203-1495; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$12,090.91 will be paid by Debtors remitting \$1,727.28 per month beginning September 1, 2016 and continue for a period of seven months until the post-petition arrears are cured; and

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Debtor: Derrick J. Pierre

Case No: 12-13470-SLM

Caption of Order: ORDER RESOLVING MOTION FOR RELIEF FROM STAY

It is further **ORDERED, ADJUDGED and DECREED** that this order shall survive any discharge entered if said discharge is entered prior to the escrow arrears being paid in full by Debtor; and

It is further **ORDERED, ADJUDGED and DECREED** that the Debtor shall maintain the taxes and insurance going forward; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$176.00 for filing fees, totaling \$526.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Derrick J. Pierre
Debtor

Case No. 12-13470-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 12, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 14, 2016.

db +Derrick J. Pierre, 31-33 Abbottsford Avenue, Newark, NJ 07106-1024

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 14, 2016

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 12, 2016 at the address(es) listed below:

Alexandra T. Garcia on behalf of Creditor M&T Bank NJECFMAIL@mw-c-law.com
Bruce H Levitt on behalf of Debtor Derrick J. Pierre blevitt@levittslafkes.com,
sslafkes@levittslafkes.com;lspcattorneys@gmail.com
Joshua I. Goldman on behalf of Creditor M&T Bank jgoldman@kmlawgroup.com,
bkgroup@kmlawgroup.com
Marie-Ann Greenberg magecf@magtrustee.com
R. A. Lebron on behalf of Creditor BAYVIEW LOAN SERVICING, LLC. bankruptcy@feinsuch.com
TOTAL: 5